



**Cost Reimbursement
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 5
AGENDA DATE: Thu 01/15/2004
PAGE: 1 of 1**

SUBJECT: Authorize negotiation and execution of a cost reimbursement agreement with William Schultz, providing terms and conditions for construction of 24-inch water main and appurtenances to provide water service to the Schultz 45 Acre Tract located on the west side of IH-35 North approximately 1,900 feet north of the IH-35 North and Wells Branch Parkway intersection with City cost reimbursement in an amount not to exceed \$216,000 for actual "hard" construction costs.

AMOUNT & SOURCE OF FUNDING: Funding is included in the Fiscal Year 2003-2004 Capital Budget of the Austin Water Utility.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Austin Water Utility
DEPARTMENT:

**DIRECTOR'S
AUTHORIZATION:** Chris Lippe

FOR MORE INFORMATION CONTACT: Reynaldo Cantu, 972-0240; Laura Wiley, 972-0104

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: Recommended by Water and Wastewater Commission

The Schultz 45 Acre Tract is a proposed mixed-use development located on the west side of IH-35 North approximately 1,900 feet north of the IH-35 North and Wells Branch Parkway intersection (the "Property"), outside the corporate limits of Austin. William Schultz, (the "Developer") has submitted Service Extension Request Number 2289, requesting the extension of City water utility service to the Property, which is within the Desired Development Zone and Walnut Creek Watershed.

Under the proposed cost reimbursement agreement, the Developer will construct approximately 450 feet of 24-inch water main from the existing 24-inch water main on the east side of IH-35 North, between F.M. 1825 and IH-35, west across IH-35 North to the western right-of-way of IH-35 North (Phase One, limited to development requiring a fire flow of 1,500 gpm or less and up to three 1-inch water meters), and continue north along the right-of-way of IH-35 North from this point for approximately 1,450 feet with a 16-inch water main (Phase Two, no additional service conditions) to the northern property line of the Property (the 16-inch water main is not cost reimbursable). The proposed 24-inch water main improvements have been identified as a required water improvement to supply water to the west side of IH-35 North.

The cost reimbursement under this agreement will be for the actual "hard" construction costs of the 24-inch water main (Phase One) and appurtenances constructed within public right-of-way or easements for a total not to exceed \$216,000.00. The Developer will bear all "soft" costs for engineering, design, project management, financing, accounting, and legal services associated with this construction.

Cost reimbursement payment for the permanent water improvements to the Developer to be made in one (1) payment on March 1 of the second year following the year in which the water improvements are accepted in accordance with Section 25-9-67 of the City Code.

The Developer will conform to the City of Austin design criteria and construction standards in all respects, solicit and publish invitations for bids, evaluate and award for construction of the improvements in accordance with standard City of Austin bidding practices, procedures and Chapter 252 of the Texas Local Government Code in which bids and solicitation based on plans and specifications prepared and approved, including the City MBE/WBE Ordinance.

CIP FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:
WHERE ON AGENDA:
DEPARTMENT:

1/15/2004
Resolution
Austin Water Utility

DESCRIPTION:

Authorize negotiation and execution of a cost reimbursement agreement with William Schultz, providing terms and conditions for construction of 24-inch water main and appurtenances to provide water service to the Schultz 45 Acre Tract located on the west side of IH-35 North approximately 1,900 feet north of the IH-35 North and Wells Branch Parkway intersection with City cost reimbursement in an amount not to exceed \$216,000.00, for actual "hard" construction costs.

FINANCIAL INFORMATION:

Parent Project Name:	Water Unfunded Future
Project Authorization:	2003-04 Amended Capital Budget
Funding Source:	Commercial Paper
Number:	3960 227 1019

Current Appropriation	\$ 271,508,739.00
Unencumbered Balance	71,463,125.14 *
Amount of This Action	<u>(216,000.00)</u>
Remaining Balance	<u>\$ 71,247,125.14</u>
 Current Available Balance	 \$ 119,862,534.71
Less Outstanding Commitments	<u>(48,399,409.57)</u>
Estimated Unencumbered Balance	<u>\$ 71,463,125.14 *</u>

Utility Finance:

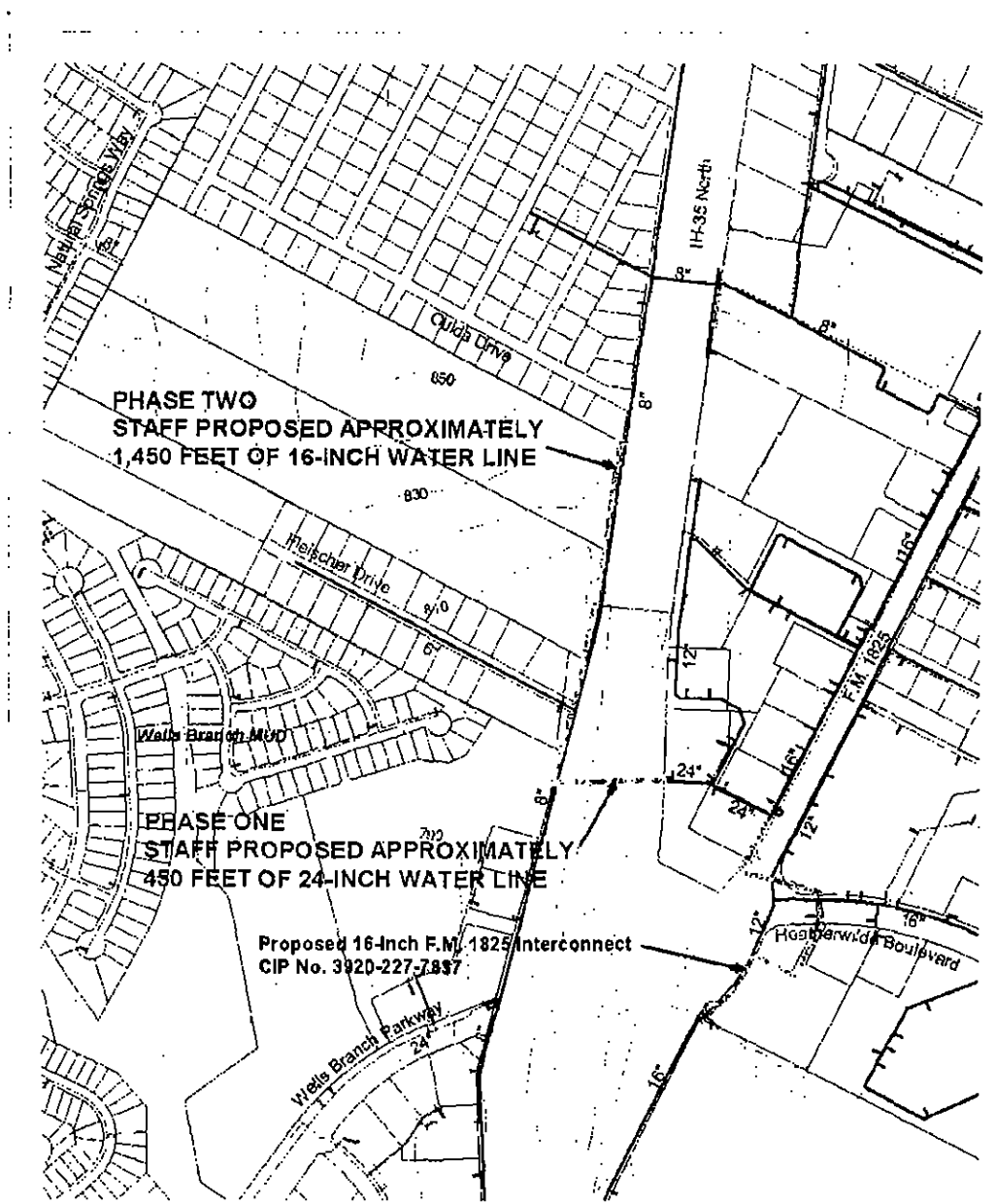


David Anders, Utilities Finance Manager

Date:

12/3/03




REF. # 3960 227 2047



500 0 500 Feet

W. S.E.R. Name: Schultz 45 Acre Tract

W. S.E.R. Number: 2289

-  Subject Tract
-  City Limits
-  Wells Branch MUD

No. 120303-H

**WATER AND WASTEWATER COMMISSION RESOLUTION
NEGOTIATION AND EXECUTION OF A COST REIMBURSEMENT AGREEMENT WITH WILLIAM
SCHULTZ PROVIDING TERMS AND CONDITIONS FOR CONSTRUCTION OF 24-INCH WATER MAIN
AND APPURTENANCES TO PROVIDE WATER SERVICE TO THE SCHULTZ 45 ACRE TRACT
LOCATED ON THE WEST SIDE OF IH-35 NORTH APPROXIMATELY 1,900 FEET NORTH OF THE IH-35
NORTH AND WELLS BRANCH PARKWAY INTERSECTION WITH CITY COST REIMBURSEMENT IN
AN AMOUNT NOT TO EXCEED \$216,000.00 FOR ACTUAL "HARD" CONSTRUCTION COSTS**

**December 3, 2003
REGULAR MEETING
VOTE: 6-0-0-0**

Motion made by: Miller
Commissioners Consenting: Lee, Warner, Kirfman, Frieze, Coleman
Commissioners Dissenting:
Commissioners Abstaining:
Commissioners Absent:

The Water and Wastewater Commission recommends the Council authorize approval to negotiate and execute a cost reimbursement agreement with William Schultz, providing terms and conditions for construction of 24-inch water main and appurtenances to provide water service to the Schultz 45 acre tract located on the west side of IH-35 North approximately 1,900 feet north of the IH-35 North and Wells Branch Parkway intersection with City cost reimbursement in an amount not to exceed \$216,000.00 for actual "hard" construction costs.



Michael Warner, Chairperson
Water and Wastewater Commission

12/3/03
Date